



United States Attorney  
Southern District of New York

---

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

June 1, 2020

**BY ECF**

The Honorable Taylor A. Swain  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: *United States v. Michael Ackerman, 20 Cr. 93 (TAS)***

Dear Judge Swain:

The Government respectfully submits this letter to seek an approximately sixty day adjournment of the arraignment and initial conference currently scheduled for 11 a.m. on June 11, 2020. The parties are discussing a pretrial resolution of this matter and will not be completed with those discussions before the conference date.

As noted in detail in the Government's prior adjournment request (ECF No. 9), the Government also seeks exclusion of time from the speedy trial clock in an abundance of caution, though the Government believes that the speedy trial clock has not begun to run in this case, because the defendant has yet to appear in this district, and that time is automatically excluded from the speedy trial clock to the extent that the defendant is not currently physically capable of standing trial. In the alternative, the Government moves with the consent of defense counsel to exclude time from the speedy trial clock under 18 U.S.C. § 3161(h)(7)(A) because the ends of justice served by such exclusion outweigh the best interest of the public and the defendant in a speedy trial. Specifically, the exclusion would allow time for the parties to continue discussing a pretrial disposition in this case.

Respectfully submitted,

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York

By: /s/  
Jessica Greenwood  
Assistant United States Attorney  
(212) 637-1090

cc: Jonathan Marvinny, Esq. (by ECF)